

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO PLANNING & DEVELOPMENT COMMITTEE

Agenda Item No.

meeting date: THURSDAY, 1 NOVEMBER 2018
title: REGULATION 19 CONSULTATION LANCASHIRE JOINT MINERALS AND
WASTE LOCAL PLAN
submitted by: NICOLA HOPKINS – DIRECTOR OF ECONOMIC DEVELOPMENT & PLANNING
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1. PURPOSE

1.1 To report on the current development of new planning policy relating to mineral and waste issues throughout Lancashire through a review of the current local minerals and waste plan. Specifically to inform regarding a response to the formal consultation on the Regulation 19 Publication stage of the proposed document that will replace the current plan.

1.2 Relevance to the Council's priorities:

- Council Priority 1 - to ensure a well- managed Council providing efficient services based on identified customer needs through the location of appropriate waste management facilities by the Council and other bodies.
- Council Priority 3 - to help make people's lives safer and healthier by locating minerals and waste facilities in appropriate locations.
- Council Priority 4 – to protect and enhance the existing environmental quality of our area, again through the guidance and supervision of appropriate minerals and waste development by the planning system.

2. BACKGROUND

2.1 Government planning legislation requires relevant bodies (in this case the County Council, in conjunction with Blackburn with Darwen and Blackpool Councils) to develop plans and strategies relating to the future development of mineral extraction, treatment and associated issues and the treatment, processing and associated issues related to domestic and other waste products within the County. It should be emphasised that in terms of minerals and waste plan making and the judgement of planning applications the three joint bodies are the plan makers and application decision makers, with Ribble Valley Borough Council a statutory consultee in both processes.

2.2 The current version of this plan was developed from 2008 with an end date of 2021 and is to be replaced by this review plan document after it has been through all its regulatory stages and been examined by the Planning Inspectorate. This stage is the Regulation 19 Publication Version, which sets out the joint bodies' preferred plan. Whereas the current plan has separate Core Strategy and Allocations elements this review document brings these both together in one plan. It is anticipated that the finalised and adopted version will influence development to 2034. This document represents the second stage in the development of the review plan prior to its submission, along with the consultation responses, to the Secretary of State for subsequent examination by the Planning Inspectorate.

- 2.3 The deadline for responses is the 28th November. All the documents can be viewed on the County Council's website at the link below:

<https://lancashire-consult.objective.co.uk/portal/r19>

A hard copy of the consultation documents is available in the Members' Room

What are the Main Elements of the Plan?

- 2.4 In general terms the plan points out that many of the area's mineral resources are tightly constrained by valuable landscapes and other factors or limited by poor access, and that some important minerals are in diminishing supply. In terms of waste there is diminishing landfill capacity. There is also an increased emphasis on recycling and treatment of waste while at the same time reducing its road transport impact. This will demand sites for new treatment plants. Lying behind all the above is the increasing demand for minerals and the creation of waste by a growing population.
- 2.5 Briefly the review plan contains an overview of minerals and waste needs assessments over the plan period, a set of policies that will guide the assessment of planning applications relating to minerals and waste development and a set of site allocations for a variety of minerals facilities and waste facilities. The latter contain a significant number of sites that already have established planning permissions. These are shown in the "Policy Map Inset" document. In addition it contains a variety of appendices including (Appendices A and K) an outline of the roles of the various Regulatory Bodies concerned with minerals and waste planning. Appendix D sets out how the revised plan policies relate to the current plan policies and where additions or deletions are proposed.
- 2.6 It should again be emphasised that Ribble Valley Borough Council is not the decision maker in applications involved with minerals and waste but is a statutory consultee in minerals and waste plan-making and in the judgement of planning applications.

Review Plan Implications for Ribble Valley

- 2.7 In general terms this plan states that, in terms of a variety of minerals Appendix B of the plan states that already permitted reserves of sand and gravel, limestone and gritstone in the County are sufficient to meet forecast demand. This has not led to the proposed allocation of any additional sites involving these minerals in the RVBC area beyond those sites currently permitted. These already permitted sites are set out in the consultation document "Policy Inset Maps" mentioned above and are:

- Intack Quarry
- Bankfield/Lanehead/Bold Venture/Bellman Quarries near Chatburn
- Waddington Fell Quarry
- Leeming Quarry near Kemple End on Longridge Fell
- The Lafarge Tarmac and Asphalt Facility on Pimlico Link Road, Clitheroe

Specifically these sites are protected ie they are protected from sterilisation by other uses under the new review plan policy MW25 – Safeguarding Minerals Infrastructure.

- 2.8 In addition the new plan, as its predecessor does, needs to protect transport routes for minerals. In Ribble Valley this is done in the current plan by protecting from inappropriate development the Ribblesdale Rail Sidings within the Castle Cement works

in Clitheroe. The new review plan carries this existing protection forward under policy MW25.

2.9 In terms of waste facilities the current plan allocates a variety of sites to host such facilities under policy WM3, including those for the recycling, sorting, treatment and recovery of waste. This current policy will be replaced in the review plan by policy MW19. This MW19 policy does not propose the formal allocation of sites and as such the current allocation under current policy WM3 of a site in the RVBC area at Salthill Industrial Estate (site ref BWF23 in the current plan) for a local built waste management facility is not carried forward in the review plan, ie it is proposed to delete it from the plan.

2.10 Instead of formal allocation of waste sites review plan policy MW19 proposes a series of criteria that the decision makers (ie the joint authorities) would use to judge applications for waste facilities should they come forward. The policy in full is below:

“Proposals for waste management development will be supported where it can be demonstrated that:

- they are suitably located on an appropriate industrial area or landfill site: and
 - where the development is proposed at a landfill site;
 - the waste management method should be reasonably related to the operation of the landfill site; and
 - the proposal is time limited for the same duration as the landfill permission;
- They are appropriate to their location in scale, form, character and siting; and
- The highway network and site access can satisfactorily accommodate the traffic generated; and
- operations and stockpiles are located within buildings unless it can be Demonstrated that no harm to amenity will take place. “

2.11 Since the current plan was developed national planning and energy policy has moved on to include legislation relating to “fracking”. This is addressed through review plan policy MW17 – Onshore Oil and Gas. This refers (paras 4.4.5 to 4.4.7) to fracking as Hydraulic Fracturing.

2.12 Also fracking is dealt within Appendix I “Unconventional Oil and Gas Reservoirs” which sets out a general discussion of the process; Appendix J “Petroleum Exploration and Development Licences” which shows a map of the current onshore oil and gas licences in Lancashire, which include some licence blocks in Ribble Valley, and finally Appendix K “Regulatory Bodies” which sets out the roles of the major regulatory bodies and also shows a flow chart of the various roles of those bodies involved following a licence being granted by the Department of Energy and Climate Control (DECC) and the submission of a planning application for exploration and development, marking the places at which statutory bodies such as RVBC can make their views known as consultees. It should be emphasised that the licences and the various statutory roles set out in the Appendices above are already fixed in legislation.

3. CONCLUSION

- 3.1 The review will serve to provide an up to date plan that reflects current legislation dealing with mineral and waste matters. This will assist the Borough Council in making any response as a statutory consultee. The responsibility for plan making and determining minerals and waste applications sits with the Joint Authorities.
- 3.2 The proposals set out in the plan do not raise any planning related issues that warrant a formal objection or representation being submitted by the Council.

4 RISK ASSESSMENT

4.1 The approval of this report may have the following implications:

- Resources – No immediate implications.
- Technical, Environmental and Legal – The Minerals and Waste Development Framework is a statutory requirement of the planning process. The consultation exercise will enable the council to inform the final document within the constraints of the statutory process.
- Political – No direct political implications.
- Reputation – The Council would wish to contribute its views to an important long term planning document.

5 **RECOMMENDED THAT COMMITTEE**

- 5.1 Note the Regulation 19 consultation plan and that the Joint Authorities are advised that this Council has no representation to make.

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